

PALTSITS

The function of state historian of New
York.

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OF
STATE HISTORIAN
OF NEW YORK

BY
VICTOR HUGO PALTSITS
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State Historian

Read before The New York State Historical Association
at its Annual Meeting held in Albany,
October 13, 1908

ALBANY, N. Y.
1909

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ALBANY, N. Y.

THE FUNCTION OF STATE HISTORIAN OF NEW YORK.

BY VICTOR HUGO PALTSITS, STATE HISTORIAN.

Mr. President, Members of the New York State Historical Association, Ladies and Gentlemen.—Your program committee extended a very generous invitation to me several months ago to participate in your proceedings at this meeting, and they requested me to “talk shop.” Their cordiality and my opportunity formed a speedy coalition. I am here, therefore, to address you concerning “The Function of State Historian of New York.” That there is misapprehension of the function of this department of the State government cannot be denied. Hence I rejoice in this opportunity of defining what it is, and what it is not. I shall enlarge also upon a neglected function, which should interest immensely all investigators within and without this State, whether historians, economists, sociologists, exponents of political science, or members of the legal profession.

The office of State Historian of New York is a distinct State department, whose executive officer is nominated and appointed by the Governor “by and with the advice and consent of the Senate” for a term of four years. This department was created by statute at the 118th session of the Legislature, as chapter 393 of the Laws of 1895. The act reads as follows:

“CHAPTER 393 *

AN ACT to provide for the appointment of a State historian and for the compilation of the military and naval records of the State.

Became a law April 23, 1895, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. *Appointment and duties of state historian.* The governor shall appoint, by and with the advice and consent of the senate, a State historian, whose duty it shall be to collect, collate, compile, edit and prepare for publication all official records, memoranda and data relative to the

* Laws of 1895, Vol. I, p. 236.

colonial wars, war of the revolution, war of eighteen hundred and twelve, Mexican war, and war of the rebellion, together with all official records, memoranda and statistics affecting the relations between this commonwealth and foreign powers, between this State and other States and between this State and the United States.

§ 2. *Term and compensation.—Stenographer.* Said appointment is to continue for a period of four years from the date thereof. Said historian shall receive for his services the sum of four thousand five hundred dollars per annum, which shall include all necessary traveling expenses, and he shall have power to employ a stenographer, whose compensation shall not exceed one thousand dollars per year.

§ 3. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 4. This act shall take effect immediately."

The second section of this act was amended at the 123d session of the Legislature, as chapter 63 of the Laws of 1900, and the amendment provided by substitution for the employment of a chief clerk, but in no other way altered the original act of 1895. The text of the amendment is as follows:

"CHAPTER 63.*

AN ACT to amend section two of chapter three hundred and ninety-three of the laws of eighteen hundred and ninety-five, entitled 'An act to provide for the appointment of a state historian and for the compilation of the military records of the state.'

Became a law, March 1, 1900, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. *Act amended.* Section two of chapter three hundred and ninety-three of the laws of eighteen hundred and ninety-five, entitled 'An act to provide for the appointment of a state historian and for the compilation of the military and naval records of the state,' is hereby amended to read as follows:

§ 2. *State historian, appointment, salary, etc.* Said appointment is to continue for a period of four years from the date thereof. Said historian shall receive for his services the sum of four thousand five hundred dollars per annum, which shall include all necessary traveling expenses, and he shall have the power to employ a chief clerk, whose compensation shall not exceed fifteen hundred dollars per year.

§ 2. This act shall take effect immediately."

As defined by the act, the function of State Historian is "to collect, collate, compile, edit and prepare for publication all official records, memoranda and data relative to the colonial wars,

* Laws of 1900, Vol. I, p. 122.

war of the revolution, war of eighteen hundred and twelve, Mexican war, and war of the rebellion, together with all official records, memoranda and statistics affecting the relations between this commonwealth and foreign powers, between this State and other States and between this State and the United States." That presages a great task, even if the meaning in spots rests in *penumbra*. But it is clearly evident that only "official records" are meant, and that publication, under this act, of bodies of manuscripts owned by descendants of warriors or statesmen is precluded, if the said manuscripts cannot pass muster as "official records."

Many persons err in believing that the department's function is the compilation of the contemporary history of the State; some evince an idea that it is rich in the possession of valuable archives, and yet others seem to consider it a bureau of genealogical research or a place where any citizen's historical nuts are cracked. Perhaps these notions are fallacies of equivocation, for not many persons could define the designation of "State Historian." It has been a custom of the department, even in the absence of statutory prescription, to answer many queries propounded by correspondents from anywhere, and often several hours per day are devoted to this kind of work. But the point is this — it is not obligatory, nor can it be permitted to interfere with the specific obligations of documentation. The office is not equipped with a genealogical or historical library, and most queries necessitate a time-consuming journey to the New York State Library or the State departments. Hence untechnical queries of a purely genealogical or other character are generally referred to the departments which are equipped with literature, manuscripts and clerks for that kind of work. The State Historian's staff consists of a chief clerk, an expert copyist and a page, while the total appropriation for the fiscal year, which began on October 1st, is \$8,334.*

What personal equipment should the State Historian have, in view of his obligations? That is a frank question and shall have a frank answer. He should be intensely interested in his work, and not consider his post as a sinecure. He must have good eyes, good health, capacity for arduous toil by day or by night, and possess administrative ability. He should be familiar with the

* Divided as follows — State Historian, \$4,500; chief clerk, \$1,500; expert copyist, \$1,200; page, \$384; office expenses, \$750.

best canons of historical documentation, criticism and systematization, and have personal experience in deciphering and editing old manuscripts. He should hold intercourse with historical scholars and enjoy their sympathetic co-operation. He should be a bibliographer, conversant with the American historical literature of the past, and be abreast of the constructive historical and archival work of his own time. This is not a chimerical definition and, because it is not, enjoins humility and striving in the incumbent.

On July 24, 1907, the present State Historian was commissioned, and he filed his oath of office with the Secretary of State on the 30th day of that month. He found the position of typewriter-stenographer vacant, and that was a fortunate circumstance. Conventional typewriter-stenographers are not competent for the kind of work which insures accuracy in documentation. He, therefore, was unsuccessful in procuring through the ordinary channels of the State Civil Service a person who could fulfil the requirements of former experience and certification by a known specialist. For seven months the State Historian was his own copyist, during which time, apart from other duties, he copied with pen over 500 folios of documents written during the years 1668 to 1673. Competent assistance, however, was imperative to progress. There were, indeed, those who thought they could do the work, but who were unable to stand the tests or qualify in accordance with the conditions. Finally, through the good offices of his friend, Worthington C. Ford, Chief of the Division of Manuscripts of the Library of Congress, and under rule 8, section 10, of the State Civil Service Rules, he appointed as expert copyist, a young man who had been engaged about eight years in the said Division of Manuscripts of the Library of Congress. The correct transcription of old manuscripts is a science. The system or form of handwriting in the early records varies with every generation. The numerous abbreviations of the early scribes were adopted by the first typographers, and many of these conventionalities persisted in manuscripts beyond the seventeenth century, and a few of them are yet in use to this day.*

It will interest you, no doubt, to learn what volumes are being prepared for publication. A typewritten index to the "Public Papers of George Clinton," embracing about 3,000 folios, which

* For a popular handbook see Thoyts, *How to decipher and study old documents*. Second edition. London, 1903.

had been prepared before the present incumbency, is in course of severe revamping. An extensive series has been begun, the first volume of which covers the years 1668 to 1673, entitled, "Minutes of the Executive Council of the Province of New York," accompanied by collateral and illustrative documents, such as orders, warrants, letters, proclamations, commissions, etc. The series, here begun, when completed will prove to be among the largest and best ever undertaken for the Colonial period. Another volume in advanced state of preparation is the "Minutes of the Commissioners for Detecting and Defeating Conspiracies in the State of New York, 1778-1781, Albany Sessions." Quite recently the copying for yet another volume was begun. It is the "Minutes of the Committee of the City and County of Albany," otherwise the Committee of Safety, embracing the years 1775 to 1778. In addition to the works mentioned, I expect to plan at the earliest opportunity another series of unusual worth—the Assembly Papers, which begin with the year of the constitutional erection of the State, in 1777. They are scattered and it will require patience and care to co-ordinate them for publication.

In all these works we seek the strictest accuracy of text in copy and in print that human endeavor can achieve. Every bit of copy and printer's proof will be read by me personally with the *original* manuscripts; it is no sinecure, but it is as it should be. As to editorial apparatus, I may say, I do not believe in flamboyant introductions, scare headings, irrelevant footnotes, nor history peppered with pyrotechnics; neither am I in accord with those who abjure all form and comeliness of diction. In an interview with the editor of a local newspaper of New York, I stated my ideals in the following words:

"The State of New York has been generous in appropriations to aid the cause of history, but has not always been dealt with fairly, in the results returned by the recipients of her generosity, or by those who have been entrusted with the publication of her archives.

"The modern historical canons are exacting, and an editor must be able to honor them. He must reproduce faithfully all of the idiosyncracies of every letter, document or other manuscript, and be able to interpret the varying forms of handwriting, often written badly, illiterate, faded and even torn or rotten. These must be presented by typography in an orderly form, with

such accompanying critical apparatus as each case may suggest or require.

"In the treatment of archives there is a triune function — preservation, co-ordination, and publication. In other words, first preserve the records against theft, fire, damp, or wanton destruction; second, when preserved properly in each department of every city, town, village and hamlet, and in the State by the State departments, the next step is co-ordination or a proper scientific classification, together with indexes as media for ready accessibility; the third stage follows naturally, because when they are properly preserved and classified, the publication is easy to an archivist.

"Let no one believe that these things are being done in the State of New York, for it is an unfortunate fact that she is far behind other States, for example, Massachusetts, Rhode Island, Connecticut, Alabama, and Mississippi. But there is an awakening among the students of history in the State, growing out of a world-wide movement, which will bear fruitage and make for the proper administration of public archives throughout the State and under the official direction of the State."

Let me now engage your attention for the consideration of the great need of the scientific preservation and supervision of public records. As one of the seven members of the Public Archives Commission of the American Historical Association and as State Historian, this thing is uppermost in my mind. That we in this State are singularly derelict can be shown, even if we do not stand alone as a horrible example. By comparison with European activities and the provision in some of our own States, our State has reason to be ashamed.

In Sweden, the country is divided into several provincial depots, each in charge of a trained archivist, supervised by the Director of the National Archives, and to whom the head of each provincial depot is obliged to report at the beginning of each new year the results attained by him in his administration of the previous year. The National Archives are constituted the central authority of all the public archives of Sweden.*

On June 17, 1891, a national society of Dutch archivists was organized at Haarlem, having for its object the promotion of a

* Article by Dr. S. Bergh on "La nouvelle Organisation des Archives de Suède," in *Le Bibliographe Moderne*, vol. XI (1907), pp. 329, 333.

more scientific organization of archives in the nation under a unified system. That this laudable purpose might be successful, an annual meeting is held every summer at some place selected at the preceding conference. The stimuli of these meetings have worked wonders in Holland, and the good work has received hearty accord from archivists in other nations of Europe. One of the products of these assemblies was the publication in Dutch of a guide for the administration, classification and description of archives, which has since been translated and adapted for the use of German archivists.*

In Germany, in Denmark, in Belgium, in France and elsewhere trained men are at work and are receiving the aid of government. In every progressive country of Europe the centralization and proper administration of the national and provincial archives has arrested attention in official and scholarly circles. The publication of inventories, indexes, registers, calendars or other guides to the contents of archival depots is carried out extensively. The European archivists meet in international congresses and between times do progressive work.†

Time does not permit me to enlarge upon European conditions. What is the situation in the United States? Recent tendencies indicate a desire "to provide more adequately for the care of the State archives," but reveal also "the general neglect on the part of the States to make provision for the adequate supervision of the local records in the custody of the various county, city, town and other local officials."‡ Only in Massachusetts, Rhode Island and Connecticut is any State supervision provided over local records. The office of commissioner of public records in Massachusetts was made permanent in 1892, but much good work was performed during several years prior thereto by this officer. The Rhode Island commisisoner, since 1896, has authority to investi-

* *Anleitung zum Ordnen und Beschreiben von Archiven*, von Dr. S. Muller, Dr. J. A. Feith und Dr. R. Fruin, Direktoren der Staatsarchive in Utrecht, Groningen und Middelburg. Für deutsche Archivare bearbeitet von Dr. Hans Kaiser. Leipzig, 1905.

† Information about the law and administration of archives in Holland is given in the *Nederlandsch Archievenblad*, 1907-1908; of Belgium in the *Revue des Bibliothèques et Archives de Belgique*, 1907-1908. The latter periodical chronicles also the work of the international congress, whose next séance will be held in 1910.

‡ *Report of the Public Archives Commission of the American Historical Association*, December 28, 1906, in *Annual Report*, 1906, vol. II, p. 11.

gate any official State or local records, and also such parish and church records as he may be able to locate of extinct and active church organizations. His authority is not mandatory over officials as to preservation. The commissioner of Connecticut supervises and reports to the Governor, with recommendations. Alabama, Mississippi, West Virginia and Indiana have departments of archives and history, created and supported by legislation. Of them the late Robert T. Swan has said: "It is to be hoped that the States which have established departments of archives and history will not stop at this provision for the care of the records chiefly to be found in the custody of the State departments, but will take action to recover and care for the valuable records fast going to destruction scattered through the counties, towns, and villages." *

The Legislature of New Jersey, in 1897, established a public record commission of three persons, for inquiring "into the nature and condition of the public records * * * and the several counties, townships, cities, and other municipalities." They were to report to the Governor from time to time and make recommendations.

In 1903 the Legislature of Pennsylvania created a division of public records in connection with its State Library, and provided furthermore for the appointment, annually, of an advisory commission of public records. Good results are reported.

Maryland has a public records commission of three members, created in 1904, to examine into conditions and report thereon to the general assembly.

The Florida Legislature of 1905 created a division of public records, having jurisdiction of State and county records.

In 1905 the Legislature of Hawaii established a board of public archives, with authority to collect all public archives and arrange, classify, and inventory them. A new hall of records for their safekeeping was also provided.

Since 1905 Kansas has a discretionary provision for turning over to the Kansas Historical Society any State, county, or other official records not required to be kept otherwise by law three years after the current use of the same.

* *Summary of the Present State of Legislation of the States and Territories relative to the Custody and Supervision of the Public Records*, by the late Robert T. Swan, Commissioner of Public Records of the State of Massachusetts, in *Annual Report of Amer. Hist. Ass'n*, 1906, vol. II. I have used this report to some extent.

In 1906 the Legislature of Iowa provided for the centralization of "all the original public documents, papers, letters, records and other official manuscripts of the State executive and administrative departments, offices or officers, councils, boards, bureaus, and commissions, ten years after the date or current use of such public documents, papers, letters, records or other official manuscripts," and provided further for an earlier transfer or a longer retention, in the discretion of an executive council.

In most of the States and territories not referred to in the foregoing memoranda, the treatment of manuscript records is heterogeneous. State papers are in the custody of a Secretary of State, or heads of departments, or partly allotted to a State library or some historical society; court records are under the jurisdiction of court clerks; county records are deposited with county clerks; and city, town and local records with various local officers. There is no State supervision for their care and preservation, and where statutory provision has been made for accessibility and use, it pertains to specific kinds of records only, such as deeds, wills, court records, and similar papers consulted by the legal profession; or to legislative papers desired by legislators. In a few States a sop is thrown to historical commissions, with the function of collecting historical data, the compilation of State gazetteers, military rosters, or publication of certain archives, and in yet other States the historical interest is confined to small appropriations to some historical society in the State. New York and Maine are the only States which have an official known as State Historian. It is a regrettable fact that States which appropriate funds most liberally toward less urgent needs, exhibit a singular penury toward the safeguarding of their public records—the prime sources of their administrative, social, and political history.*

In 1901 the Public Archives Commission of the American Historical Association published its first report, and the bulk of it was a "Report on the Archives and Public Records of the State of New York and of New York City," by Dr. Herbert L. Osgood, Professor of History in Columbia University.† A pioneer effort

* For a summary of "What other States have done for their History," see *Publications* of the Arkansas Historical Association, vol. I (1906), pp. 28, ff. It rather underestimates what has been done and is now being done in the purely historical line.

† In *Annual Report* of Amer. Hist. Ass'n, 1900, vol. II (Washington, 1901), pp. 67–250. Also issued separately with its own title-page and covers.

under private auspices, it has been awarded the highest praise, and it has served many a forlorn student as a guide. Admittedly it is far from complete for the State. It says to the State and the divisions thereof: "Here is the way, walk ye in it." This report showed that records were found in frame buildings used for business purposes, such as feed stores, glove factories, barber shops, and furniture stores, and that papers were kept in cellars and mildewed, in wooden cases, in wooden desks, loose in packing boxes, in lofts and garrets, and in sheds with household rubbish. The report declares that in two towns of Onondaga County the masses of stored manuscripts were deliberately burned because they were considered a useless burden. Now, the records are the property of the people, and as such are legally and theoretically accessible to all. Professor Osgood rightly points out that New York has never legislated for the supervision and control of the work of these local records, whose constituted guardians generally know or care little about the older records, removed from the daily routine of their offices. He says: "The older records, therefore, have not only been allowed to fall into neglect and to remain practically inaccessible to inquirers, but even precautions against loss or damage through fire or other accident, change of officials, change in the location of offices, lending of records, and even positive theft have not always been taken."*

We are cognizant of cases of wanton destruction, of "borrowed" records, of papers lost by theft or through carelessness. A few may be mentioned. A number of the early volumes of New York City Deeds (conveyances, mortgages, etc.), are missing from the Register's Office. A correspondent of ours was recently informed "that several volumes disappeared during the incumbency of the last Register, while the office was at 160 Nassau street, after the old Hall of Records had been razed and before the new building was ready for occupancy." You recall, no doubt, the return this summer to the City of New York of a volume of the "Minutes of the Executive Boards of the Burgomasters of New Amsterdam," and notarial records of Walewyn van der Veen, found among the effects of the late Berthold Fernow.†

* Osgood's Report, p. 3, of the separate issue.

† They were printed in the second volume of *Minutes of the Orphanmasters Court of New Amsterdam*, translated by B. Fernow, published at New York, by Francis P. Harper, in 1907. Query: Were they "borrowed" and by what authority, and when? A digest of the notarial records of Walewyn van der Veen had actually appeared in the *Year Book of the Holland Society of New York*, 1900, pp. 110-203.

About five years ago a bookseller, now of Peekskill, but then of New York City, offered in his catalogue for \$500 the following item:

“Rough Minutes of the Board of Common Council, 1809 to 1831, and of the Board of Aldermen, 1831 to 1847. Bound in 61 volumes of varying thickness, nearly folio in form. These are the original manuscript minutes of these two branches of the City Government, only a portion of which have ever been printed. It will be observed that the important periods of the War of 1812, and the Mexican War, are covered.”

As soon as I saw the item in the catalogue, I recognized that this was, indeed, a body of most valuable official manuscripts, to which my attention had been directed several years before, during a visit to the City Hall of New York. I at once suggested that the item should be brought to the attention of the Hon. Seth Low, then mayor, which was actually done. Mayor Low turned the case over to his corporation counsel, Mr. George L. Rives, who made the usual inquiries prior to an execution for a replevin. The bookseller, in his next catalogue, doubled the asking price to \$1,000, and added these words to his note: “These were a part of the Archives of the City of New York till some one with ample authority sold them to a junk dealer for old paper, and I happening to find them in his possession in process of being packed for the paper mill, they were thus rescued from oblivion. Some interested person called the city officials’ attention to the fact that this ‘rubbish’ had value above old paper price, and the ‘junkier’ was asked by the City Representatives who interviewed him why he ‘did not know enough to send them to the paper mills and have done with them?’ With too little sense to buy them back and place them where they belong and thus cover their ignorance, an attempt has been made to place me in a false position, because I had sufficient intelligence at command to be able to discern gold from Dutch metal. I can give a clear title to these records, and now offer them for sale at just twice the price they were originally advertised at by me.”

Is not the situation shameful? Can you contemplate it without pangs of sorrow? Something ought to be done by the State with alacrity to remedy its continuance. The administration of this work should be put into competent hands, provided with sufficient legal authority and the necessary means for carrying out the work.

It matters not to me whether this added burden of responsible work is placed upon my shoulders, or whether others are charged with it. The main thing is, *get the work going!* It is the concern of every serious investigator in the State and without the State. It is a duty which the State owes to itself now and to the generations yet unborn. I have received during my administration many letters pointing out the need of supervision from the most reputable sources, among these I may mention: Hon. Andrew D. White, former president of Cornell University; Dr. John H. Finley, president of the College of the City of New York; Dr. Herbert L. Osgood, of Columbia University; Professor Charles H. Hull, of Cornell University; Dr. J. Franklin Jameson, director of the department of historical research in the Carnegie Institution; Professors W. R. Shepherd, Charles Beard, William A. Dunning, Edwin R. Seligman, and Franklin H. Giddings, all of Columbia University, and Professor Hammond Lamont, formerly of Brown University and now editor of "The Nation." Surely these men know what they are talking about. Shall this thing be done now? Will you help it on?

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